

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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IN THE MATTER OF THE REQUEST	:	
FOR AGENCY ACTION OF BERRY		
PETROLEUM COMPANY FOR AN	:	
ORDER OF THE BOARD SUSPENDING		
THE STATEWIDE WELL SITING RULE,	:	
APPROVING ENHANCED AND		
SECONDARY RECOVERY	:	NOTICE OF HEARING
OPERATIONS, AUTHORIZING		
UNDERGROUND INJECTION, AND	:	
GRANTING AUTHORITY TO USE		Docket No. 2011-006
EXISTING PRODUCTION WELLS AS	:	Cause No. 246-02
INJECTION WELLS IN A PILOT		
WATERFLOOD PROJECT IN THE	:	
GREEN RIVER FORMATION IN THE		
E1/2 OF SECTION 21, TOWNSHIP 5	:	
SOUTH, RANGE 4 WEST, USM,		
DUCHESNE COUNTY, UTAH.		

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING  
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, April 27, 2011, at 10:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Suspending the statewide well siting rule, Utah Admin. Code R649-3-2;
2. Approving enhanced and secondary recovery in the Green River Formation;

3. Authorizing underground injection of water in the reservoir of the Green River Formation;
4. Granting authority to use existing production wells as injection wells in the pilot waterflood project; and
5. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than April 11, 2011. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.


Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 29th day of March, 2011.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
Douglas E. Johnson, Chairman

  
\_\_\_\_\_  
/s/ Julie Ann Carter  
Secretary to the Board  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5277

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2011-006, Cause No. 246-02 to be mailed with postage prepaid, this 30th day of April, 2011, to the following:

A. John Davis  
Mark L. Burghardt  
Holland & Hart LLP  
222 South Main Street, Suite 2200  
Salt Lake City, UT 84101-2001

Michael S. Johnson  
Assistant Attorneys General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
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**[Via Email]**

Steven F. Alder  
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**[Via Email]**

Berry Petroleum Company  
1999 Broadway Street, Suite 3700  
Denver, CO 80202

United States of America in Trust for the  
Ute Indian Tribe of the Uintah and Ouray  
Reservation, Utah  
c/o Bureau of Indian Affairs  
Uintah & Ouray Agency  
988 South 7500 East  
P.O. Box 130  
Fort Duchesne, UT 84026

A handwritten signature in blue ink that reads "Julie Ann Carter". The signature is written in a cursive style and is positioned above a horizontal line.

**CERTIFICATE OF PUBLISHED NOTICE**

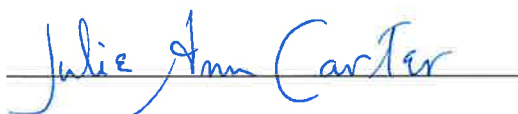
I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2011-006, Cause No. 246-02 to be PUBLISHED in the following newspapers on the following days:

April 3, 2011:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

April 5, 2011:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.

A handwritten signature in blue ink, reading "Julie Ann Carter", is written over a horizontal line.